

VIA FACSIMILE JUNE 20, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: EBNER et al.

Application Number: 09/115,832

Group Art Unit: 1647

Filed: July 15, 1998

Examiner: Hamud, F.

Title: POLYNUCLEOTIDES ENCODING
INTERLEUKIN-20

Atty. Docket No. PF399

#25
A.G.J.
7/8/02**STATEMENT CONCERNING THE ATCC DEPOSIT**Commissioner for Patents
Washington, D.C. 20231

Sir:

The Examiner has indicated by telephone that the instant application is in form for allowance, with the exception of a statement assuring that the ATCC deposit will be made accessible pursuant to the Budapest Treaty. The Examiner requested that such a statement be submitted via facsimile in order to expedite the allowance of the application.

In response to the Examiner's request, the undersigned attorney of record has made such a statement below. In addition, since it appears that formal drawings may be required, such drawings are being submitted contemporaneously via hand delivery. For the Examiner's convenience, a courtesy copy of the formal drawings is also being provided by facsimile herewith.

Applicants' representative hereby gives the following assurance by signature below:

Human Genome Sciences, Inc., the assignee of the present application, has deposited biological material under the terms of the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure with

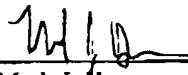
the following International Depository Authority: American Type Culture Collection (ATCC), 10801 University Boulevard, Manassas, Virginia 20110-2209. The deposit was made on August 29, 1997, and given ATCC Accession Number 209232. In accordance with M.P.E.P. § 2410.01 and 37 C.F.R. § 1.808, assurance is hereby given that all restrictions on the availability to the public of ATCC Accession Number 209232 will be irrevocably removed upon the grant of a patent based on the instant application, except as permitted under 37 C.F.R. § 1.808(b). A copy of the ATCC Deposit Receipt for Accession Number 209232 is enclosed herewith.

In view of the foregoing remarks, Applicants believe that this application is now in condition for allowance, and an early notice to that effect is urged. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicants would expedite the examination of this application.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: June 20, 2002


Mark J. Hyman (Reg. No. 46,789)
Attorney for Applicants

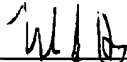
Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Telephone: (240) 314-1224

Enclosures

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

1. Fax Cover
2. Statement Concerning the ATCC Deposit
3. Copy of ATCC Deposit Receipt for ATCC Dep. No. 209232
4. Courtesy Copies of Formal Drawings (Figures 1, 2, and 3)

I hereby certify that the above-listed correspondence is being facsimile transmitted to the United States Patent and Trademark Office on June 20, 2002.


Mark J. Hyman (Reg. No. 46,789)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Telephone: (240) 314-1224